

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

MARIO H. CAPOGROSSO,

Plaintiff,

- against -

ALAN GELBSTEIN, in his official and individual capacity; BOSHRA VAHDATLAMAS, (also known as BUSHRA VAHDAT) in her official and individual capacity; IDA TRASCHEN, in her official and individual capacity; ELIZABETH PRICKETT-MORGAN, in her official and individual capacity; JEAN FLANAGAN, in her official and individual capacity; VINCENT PALMIERI, in his official and individual capacity; DANIELLE CALVO, in her official and individual capacity; SADIQ TAHIR, in his individual capacity; PEC GROUP OF NY, INC.; DAVID SMART, in his individual capacity; JOHN AND JANE DOE,

Defendants.

No. CV 18-2710-MKB

DECLARATION OF
CLAUDIO COLLINS

CLAUDIO COLLINS hereby declares, pursuant to 28 U.S.C. § 1746, that:

1. I am an attorney licensed to practice law in New York State. I currently serve as a Senior Administrative Law Judge at the New York State Department of Motor Vehicles' ("DMV") Traffic Violations Bureau ("TVB"). In that position I oversee the Brooklyn South TVB office, located at 2875 West 8th Street in Coney Island.

2. Although I did not work at the Brooklyn South TVB at the time that Plaintiff Mario Capogrosso ("Capogrosso") practiced there, I understand from conversations with DMV's legal department that he has been permanently banned from entering the office.

3. On the afternoon of Monday, December 16, 2019, Mr. Capogrosso entered the Brooklyn South TVB office. Several of the clerks recognized Mr. Capogrosso immediately and came to get me to respond to the situation.

4. I approached Mr. Capogrosso and introduced myself, then asked why he was there. He responded that he was there to depose the clerks, and that he had a federal court order permitting him to do that. I told him that it was not going to happen and that the clerks did not want to speak with him.

5. Mr. Capogrosso then asked if I was telling him to leave, and I responded that I was not, but that no one was going to speak with him and that he should contact DMV's legal department.

6. Mr. Capogrosso then said that he wanted to get in line to check his license with one of the clerks, in order to see if he had any outstanding tickets. I told him that I would check for him, went behind the counter, called him up as we would a regular customer, and checked his record. He had no tickets.

7. Mr. Capogrosso then got a cup of coffee and left the TVB voluntarily.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: December 31, 2019
Brooklyn, New York



CLAUDIO COLLINS